



CITY OF HAYWARD AGENDA REPORT

Meeting Date 05/13/04
Agenda Item 2

TO: PLANNING COMMISSION

FROM: Arlynne J. Camire, AICP

SUBJECT: Planned Development Application No. PL-2004-0246- Gary R. Hansen (Applicant)/Walpert Association for the Retarded (Owner) - Request to Change the Zoning from Medium Density Residential to Planned Development to Construct and Operate a Group Home Complex in Association with the Walpert Center for the Developmentally Disabled

The Site is Located at 1101 Walpert Street in the Medium Density Residential (RM) District

RECOMMENDATION

1. Find that the proposed project is Statutorily Exempt from the California Environmental Quality Act (CEQA) guidelines, Section 15270 (a), Projects Which Are Disapproved, and
2. Deny the application subject to the attached findings.

DISCUSSION

The City of Hayward Zoning Ordinance defines a small group home as one which provides shelter for six or fewer clients. The Zoning Ordinance limits small group homes to one home per parcel. For subject parcel, a complex of five small group homes is proposed under the oversight of a single organization. Because more than one group home is proposed, the applicant is seeking to change the zoning to Planning Development as a means for authorizing the project in a manner that provides for attractive space utilization that preserves mature trees and is harmonious with the natural characteristics of the land. The density of the project (approximately one house per 21,780 square feet) is significantly less than what would normally be found for one house on the typical Hayward lot of 5,000 square feet.

The applicant, Walpert Association for the Retarded, opened in 1961. The Walpert Center is an educational facility that offers a work activities program, recreational opportunities and learning opportunities to the developmentally disabled. The applicant proposes a group home complex on 2.5 acres behind the Walpert Center to serve older developmentally disabled adults. Some of the residents would attend a program at the Walpert Center, and other residents would attend other programs in the community. The site currently consists of three parcels that contain the Walpert Center fronting on Walpert Street and two vacant parcels comprised of 2.5 acres with access to Walpert Street by the way of a lot stem with a 50 foot street frontage. The applicant intends to detach the 2.5 acres containing the group homes from the primary Walpert Center by reconfiguring the lot lines. The site containing the five group homes would be operated by Emerald Glen, a non-profit organization. This organization's Board of Directors is comprised of family members and interested community volunteers. According to the applicant, they have the finances, the experience and the stability for the undertaking.

The neighborhood is developed primarily with multi-family residences and some single-family dwellings. The Pines, a 32-unit townhouse project, is located on the north side of Walpert Street in the *Planned Development District*. Walnut Hills Apartments, with 133 units, is located to the east in the *High-Density Residential District*. Hayward Memorial Park is located to the south and Mount Saint Joseph's Cemetery is located to the west, both in the *Agricultural District*.

Project Description

The group home complex, Emerald Glen, is intended to provide a safe and supportive environment in a park-like setting adjacent to the Walpert Center, which would serve some of their needs. Each house is designed to accommodate six adults. Very few vehicle trips are anticipated as a result of the project since the residents do not drive and would continue to be shuttled to off-site activities. The remaining vehicle trips would be limited to visitors and staff. Therefore, from a traffic standpoint, it is not anticipated to impact the surrounding neighborhood.

The complex would meet the intent of the Housing Element of the General Plan by meeting the special housing needs of older developmentally disabled individuals, and staff is supported of the use of the property for the proposed group home complex.

With respect to design, the five homes are all one-story, pre-manufactured homes, and four of the homes would have a two-car garage. Twelve additional uncovered parking spaces would be provided to accommodate visitors. Due to financial constraints, the project would be built in two phases. Initially, two houses would be built adjacent to the rear of the Walpert Center. Foundation pads of the remaining three houses would be installed as part of the first phase.

Each home is approximately 2,700 square feet in area, with 6 bedrooms and 4 bathrooms surrounding a common living room. Each home would contain a full kitchen, a breakfast room and a small office which would be staffed on a 24-hour basis in 3 shifts daily. A barbeque area would be located toward the rear of the site. The houses would be accessible by a 24-foot-paved roadway leading from Walpert Center. All sidewalks around the houses would be wheelchair accessible, although the slope of the property between the group homes and the

Walpert Center is too steep for wheelchair access. Recognizing that the group home population will continue to age, the applicant chose the single-story design to accommodate wheelchair bound residents or those who develop impairments. Although the plans show a maintenance building toward the eastern side of the property, this structure is no longer a consideration.

The pre-manufactured structures would have only horizontal siding on all elevations and composition single gabled roofs. There is no variety in design between the houses. A large bank of windows and a minimalist front entry would serve the great room. There are no porches, trellises, window shutters or awnings, or variety of exterior finishes on the buildings. A secondary entry into the home is by the way of a covered breezeway adjacent to the side of the two-car garage. This entrance also leads to the great room. The garage would match the design and materials of the house. Even though a major feature of the site is Ward Creek, the houses are not all sited to take maximum advantage of the view of the creek.

A policy of the Mission-Foothills Neighborhood plan calls for new development to be set back from Ward Creek to maintain the wooded areas and conform to the Alameda County Watercourse Ordinance. The project would be set back 20 feet from the top of the riverbank to assure compliance and to keep developed portion of the property away from hazards.

The *City of Hayward Design Guidelines* require that façades be articulated. In addition, entries are to function as a transition to the house and are to be indicated by distinctive features. The front façades of the proposed houses are flat and the front entries are without porches or covered stoops. Pre-manufactured structures are available with attractive appearances; however, in staff's opinion the proposed structures are neither attractive nor do they meet the City's minimum design standards. Although the City's minimum design guidelines have been discussed with the applicant on several occasions, the applicant has rejected suggestions for improvement.

The site has a natural grade that is under 15 percent and slopes downhill to the rear of the property towards Memorial Park and Ward Creek. Fifteen coast live oaks are located at the northern and eastern perimeters of this site. Fourteen of these trees are proposed to be retained. One small tree would be removed. If this project is approved, staff recommends that the site plan be modified to retain all of the oak trees. Landscaping would augment the site to result in a garden setting. Six additional trees, fourteen shrubs and four types of groundcover would be planted. Trees and shrubs will be planted on the top of the river bank. All proposed landscaping would be planted in Phase 1.

The project would not affect the views of adjacent residences since all structures would be one-story on flat pads and located downhill from existing development. The apartments to the east are three stories in height. Since the project site is located to the rear of the Walpert Center on a gentle downslope, the group home facility would not be visible from Walpert Street.

Environmental Review

The proposed project is categorically exempt from the California Environmental Quality Act (CEQA) guidelines, pursuant to Section 15302, Replacement or Reconstruction of Existing Facilities.

Public Notice


On October 8, 2003, a Referral Notice was mailed to every property owner and occupant within 300 feet of the subject site, as noted on the latest assessor's records. Notice was also provided to the *Mission-Foothill Neighborhood Plan* Task Force members. Staff received several phone calls from adjacent residents in support of the project. In addition, staff received a petition in support of the project signed by 25 of the 32 residents of the townhomes north of the Walpert Center. The owner of the Walnut Hills Apartments, Christian Zaballos, supports the project.

On February 20, 2004, a Notice of Preparation of a Negative Declaration and Public Hearing for the Planning Commission meeting was mailed. On May 3, 2004, a Notice of Public Hearing was mailed. No additional comments have been received.

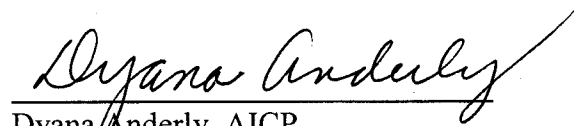
CONCLUSION

The use is compatible with the *General Plan* and the *Mission-Foothill Neighborhood Plan*. Staff believes that this is a worthwhile project that would provide desirable housing for special needs residents. Unfortunately, the design of the pre-manufactured houses does not exhibit elements of good architecture which creates an attractive living environment and provides a residential setting that would remain desirable. The design is not compatible with the adjacent Walnut Hills apartments, which incorporates a variety of building materials and where balconies add articulation to the structures, nor does it take advantage of its setting adjacent to Ward Creek. Therefore, staff has no alternative but to recommend denial of the zone change application. If the Planning Commission is inclined to recommend approval of this project to the City Council, then staff should be directed to bring back appropriate findings and conditions of approval and complete the appropriate environmental review. If the Planning Commission denies the project, the applicant can appeal this action to the City Council.

Prepared by:



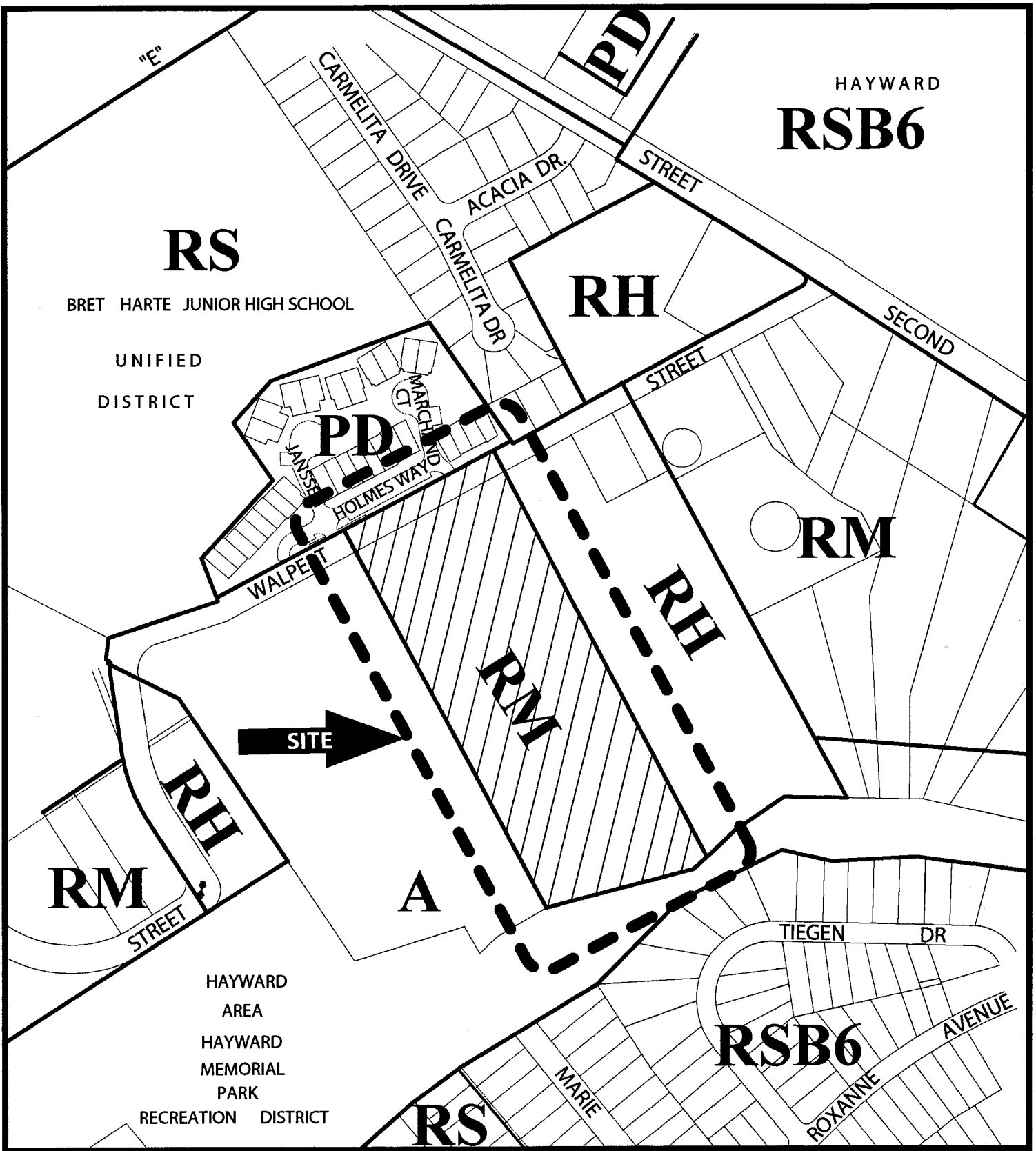
Arlynn J. Camire, AICP
Associate Planner



Dyana Anderly, AICP
Planning Manager

Attachments:

- A. – Area Map and Aerial Photograph
- B. – Petition and Letter in support
- C. – Findings for Denial
Project Plans



HAYWARD
RSB6

RS

BRET HARTE JUNIOR HIGH SCHOOL

UNIFIED
DISTRICT

RH

PD

RM

RH

RM

RM

RH

SITE

A

HAYWARD
AREA

HAYWARD
MEMORIAL
PARK

RECREATION DISTRICT

TIEGEN DR

RSB6

RS

MARIE

ROXANNE AVENUE

Area & Zoning Map

PL-2004-0246 ZC

Address: 1101 Walpert Street

Applicant: Gary Hansen

Owner: Walpert Association for the Retarded

A-Agricultural-AB5A,AB10A,AB100A,AB160A

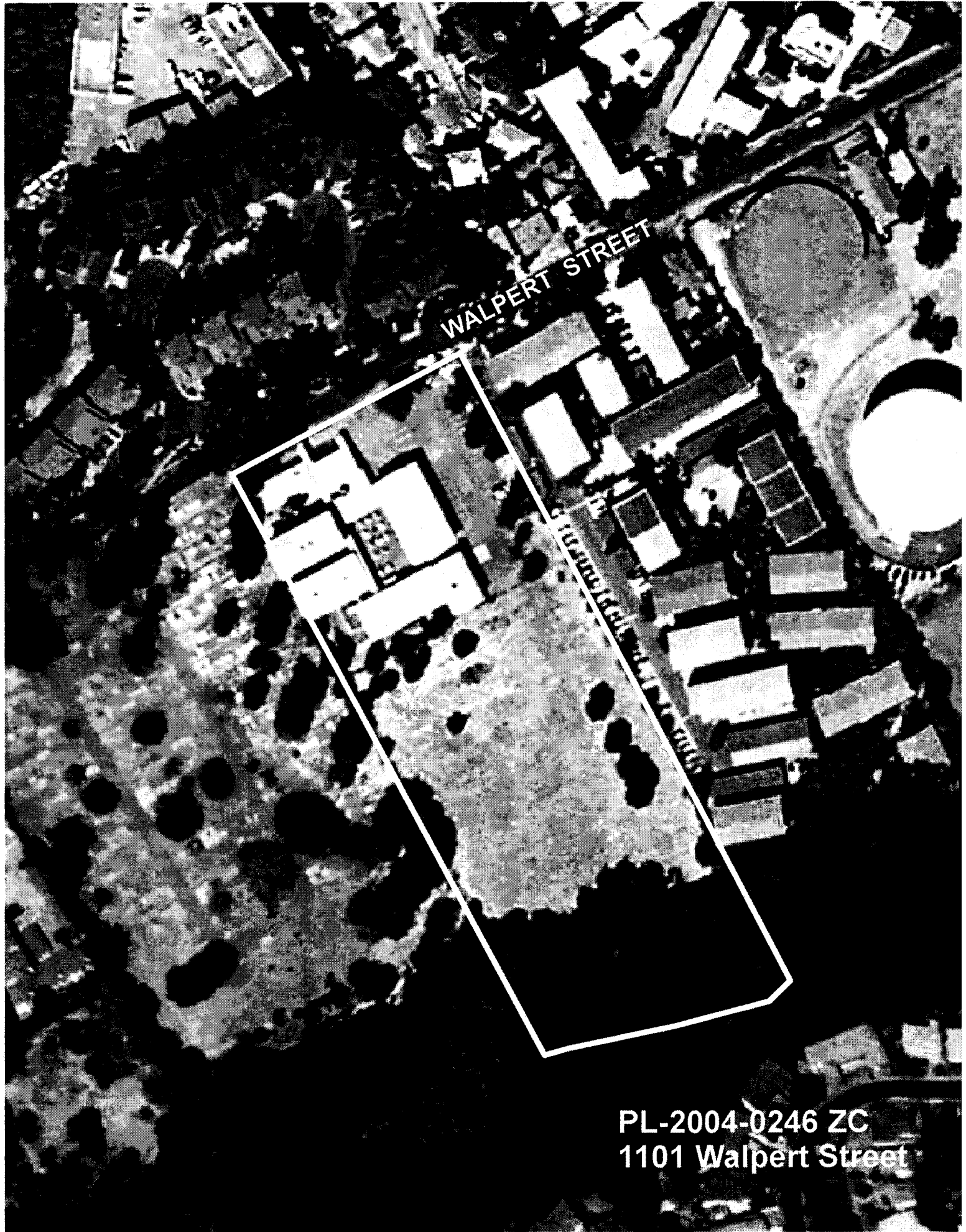
PD-Planned Development

RH-High Density Residential RHB 7

RM-Medium Density Residential RMB 3.5, RMB 4

RS-Single-Family Residential,RSB4,RSB6





PL-2004-0246 ZC
1101 Walpert Street

RECEIVED

SEP 29 2003

February 1, 2002

PLANNING DIVISION

From: Eugenia Wells
The Pines
Hayward, CA 94541

Project #
PL-2003-0569 UP
PL-2003-0570 SPR

To: City of Hayward Planning Dept.
777 B Street
Hayward, CA 94541

Re: Emerald Glen of Walpert Center for the Developmentally Disabled

Dear City of Hayward Planning Dept.,

I am a homeowner at the Pines in Hayward, and wish to give my support to the Emerald Glen residential facility being planned for the rear of the Walpert Center property at 1101 Walpert Street. The facility will house 18 to 24 senior developmentally disabled adults.

I have found the Walpert Center to be good neighbors in their effort to meet the needs of the handicapped attending their programs.

For further information you may call Eugenia Wells at 510-881-5384.

Enc.

Margaret Bennett
24025 Marchand

Lucinda Badella
24028 Marchand Ct.

Debbie Van Hulse
24009 JANSSEN CT
HAYWARD

JACK KRALE
24007 JANSSEN CT.
HAYWARD CA 94541

Henry L. L. L. L. L.
1088 Holmes Way
Jim Craft
1116 Holmes Way

1128 Holmes Way

Lon McDonald
1100 Holmes Way

H. Lee Gold
1140 Walpert St.

Rachel Harrison
1138 Walpert St

ATTACHMENT B

From: Eugenia Wells

To: City of Hayward Planning Dept.

Re: Emerald Glenn of Walpert Center

Page 2

Diana Wong
24027 Marchand Court

LIBERTO KUNZA
1122 HOLMES WAY

David R. Pore
1120 Holmes Way

Margaret O'Roke
24036 Marchand Ct.

Karen Bill
24015 Janssen Ct.

Robert R. Thuman
1106 Holmes Way

Carolyn Lee
1136 Walpert

Lekan Woodridge
1130 Holmes Way

Joan Borbauer
1126 Holmes Way

Birdy Railing
24034 Marchand Ct

Jannie Smith
24013 Janssen Ct.

Honna Lowe
24030 Marchand Ct

Shyllis Walker
1112 Holmes Way

Paul E. Lind
1108 Holmes Way

Stan Francis
1104 Holmes Way

Joan Seane Thomas
1110 Holmes way
Hayward, Ca - 94541

Walnut Hills



September 10, 2001

Planning Commission
City Of Hayward
777 B Street
Hayward, CA 94541

RE: Walpert Center for the Developmentally Disabled

Dear Hayward Planning Commission,

The Walpert Center for the Developmentally Disabled is currently in the planning stages for adding a residential facility to their existing Walpert Street complex. The proposed addition would house 24 senior developmentally disabled people in a gated community. As the owners of Walnut Hills Apartments, we have been next-door neighbors to the Walpert Center for over 35 years. During this time, the center has been an excellent neighbor and a great service to the community and the people it serves.

In closing, we are in support of the proposed addition to the center. I can be reached via phone at 510-581-5993 if you have any questions.

Sincerely,

Christian Zaballos
Walnut Hills Apartments

cc. Jean Rolf, Serra/Walpert

RECEIVED

SEP 29 2003

PLANNING DIVISION

Project #
PL-2003-0569 UP
PL-2003-0570 SPR

FINDINGS FOR DENIAL
Planned Development Application No. PL-2004-0246
Gary R. Hensen (Applicant)
Walpert Association for the Retarded (Owner)
1101 Walpert Street

Based on the staff report and the public hearing record:

- A. The project application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and is Statutorily Exempt from CEQA guidelines, Section 15270 (a), Projects Which Are Disapproved.
- B. The project is not in substantial harmony with the surrounding area in that it does not conform to the minimum design standards of the Hayward Design Guidelines which surrounding projects were required to conform.
- C. Streets and utilities are adequate to serve the development.
- D. The project does not create a residential environment of sustained desirability and stability, the development will have an adverse visual effect upon surrounding development since the Hayward Design Guideline minimum standards are not met and an oak tree is proposed to be removed.
- D. Any exceptions to the Hayward Design Guidelines is not adequately offset or compensated for by providing functional facilities or amenities not otherwise required or exceeding other required development standards.
- E. The phasing of the project does not create a residential environment of sustained desirability and stability. Building pads will be installed in anticipation of funding while these areas could be landscaped while awaiting the building of the houses and garages.

**DUE TO THE LENGTH OR COLOR
OF THE REFERENCED EXHIBIT,
IT HAS BEEN ATTACHED AS A
SEPARATE LINK.**